

RECEIVED

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA**

2005 NOV -4 P 2:38

UNITED STATES OF AMERICA)
MIDDLE DISTRICT OF ALA)
GEORGE DAVID SALUM, III)

2:05-CR-137-F

MOTION TO QUASH SUBPOENA

NOW COMES, Roianne Houlton Conner and moves this Honorable Court to quash a witness subpoena issued to her in the above styled matter. As grounds therefore, states as follows:

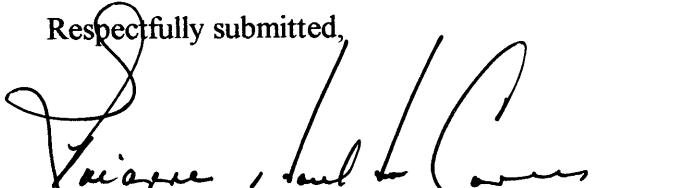
1. The undersigned is a licensed attorney in the State of Alabama and is also licensed to practice law in the United States District Court for the Middle District of Alabama.
2. The undersigned is also the attorney of record for R. David DeJohn, who currently is involved in civil litigation with the above stated defendant in the case of R. David DeJohn vs. City of Montgomery, et als. Case No. CV-05-1562. This case is currently pending in the Circuit Court of Montgomery County, Alabama. Any information sought from the representation of Mr. DeJohn would be privileged information pursuant to the attorney-client privilege. Further, it is the understanding of the undersigned that Mr. McPhillips has also issued a subpoena for Mr. DeJohn.
3. After receiving the subpoena which is attached hereto as Exhibit A, the undersigned contacted Mr. McPhillips office leaving two messages earlier in the week without hearing anything from Mr. McPhillips.
4. On Friday, November 4, 2005, the undersigned wrote Mr. McPhillips a letter inquiring as why he had subpoenaed her. This letter, which is attached as Exhibit B, was faxed to Mr. McPhillips and the fax confirmation sheet is attached hereto as Exhibit C.
5. As of the writing of this motion, the undersigned still has not received a return telephone

call from Mr. McPhillips, nor from his office.

6. The undersigned has for several months had a trip to North Carolina planned with her husband. This trip is scheduled to begin Wednesday, November 9, 2005 and we are returning to Montgomery, Sunday, November 12, 2005. If the purpose of the subpoena is to preclude the undersigned's presence in the Courtroom, as the undersigned suspects, then the undersigned represents that she will not be present during the trial of this cause as she has other Court appearances as well as a medication scheduled for Monday and Tuesday and will hopefully be out of town Wednesday through Friday.

WHEREFORE THE PREMISES CONSIDERED, Roianne Houlton Conner moves this Honorable Court to quash the witness subpoena heretofore issued to her in the above styled matter.

Respectfully submitted,



Roianne Houlton Conner
ROIANNE HOULTON CONNER
ASB-9677-R77R
Attorney for Defendant

OF COUNSEL:

LAW OFFICES OF ROIANNE HOULTON CONNER
250 WINTON BLOUNT LOOP
P. O. BOX 240458
MONTGOMERY, ALABAMA 36124
334/215-1988

CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of November, 2005, served a copy of the foregoing upon the following, by U.S. mail, postage prepaid and properly addressed:

Honorable Dixie Morrow
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197

Honorable Julian McPhillips, Jr.
516 South Perry Street
Montgomery, Alabama 36104



ROIANNE HOULTON CONNER

OF COUNSEL:

**LAW OFFICES OF ROIANNE HOULTON CONNER
250 WINTON BLOUNT LOOP
P. O. BOX 240458
MONTGOMERY, ALABAMA 36124
334/215-1988**